

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the application of: Sebastian Böhm, *et al.*

Serial No.: 10/027,484

Filed: December 21, 2001

For: MICROFLUIDIC SYSTEM INCLUDING A
VIRTUAL WALL FLUID INTERFACE PORT FOR
INTERFACING FLUIDS WITH THE MICROFLUIDIC
SYSTEM

Attorney Docket No.: CVZ-001b

Group Art Unit: 1743

Examiner:

RECEIVED
MAY 14 2002
OFFICE OF PETITIONS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

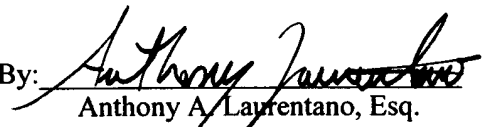
Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

April 30, 2002

Date of Signature and of Mail Deposit

By:


Anthony A. Laurentano, Esq.

Reg. No. 38,220

Attorney for Applicant

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION


Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated January 31, 2002, Applicant's attorney submits herewith two executed Declarations, Petitions and Powers of Attorney and substitute drawings (Figures 1-23B) in compliance with 37 CFR 1.84 for the above-identified patent application. A check in the amount of \$130.00 for the surcharge based on large entity is enclosed. A copy of the Formalities Letter is also enclosed.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Anthony A. Laurentano, Esq.
Reg. No. 38,220
Attorney for Applicants

Lahive & Cockfield, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: April 30, 2002



COPY OF PAPERS
ORIGINALLY FILED

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,484	12/21/2001	Sebastian Bohm	CVZ-001b

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

RECEIVED
MAY 14 2002
OFFICE OF PETITIONS

CONFIRMATION NO. 9951

FORMALITIES LETTER



OC000000007399879

Date Mailed: 01/31/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 20a-c, 21a-c described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in

05/10/2002 GTEFFERA 00000162 10027484

01 FC:105

130.00 OP

the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY OF PAPERS
ORIGINALLY FILED



RECEIVED
MAY 14 2002
OFFICE OF PETITIONS

Office No. CVZ-001b

THE "RECEIVED" STAMP OF THE PATENT AND TRADEMARK OFFICE
IMPRINTED HEREON ACKNOWLEDGES THE FILING OF:

Description of Paper* and No.: Transmittal Letter for New U.S. Patent Application (2 pages, in duplicate); New U.S. Patent Application (including 50 pages of specification, 8 pages of claims, 1 page of abstract), and 14 sheets of drawings (Figures 1-23B); Unexecuted Declaration, Petition, and Power of Attorney for Patent Application (6 pages); Completed Application Data Sheet (3 pages); Check in the Amount of \$2,210.00; and this return postcard.

Title: *MICROFLUIDIC SYSTEM INCLUDING A VIRTUAL WALL FLUID INTERFACE
PORT FOR INTERFACING FLUIDS WITH THE MICROFLUIDIC SYSTEM*

Name of Applicants: Sebastian Böhm, *et al.*

Intf. or Serial No.: Not Yet Assigned

Attys: AAL/CEM/avm

Date: December 21, 2001



*with Certificate of Express Mailing No. EL892198604US



COPY

LAHIVE

&

COCKFIELD

LLP

MAY 09 2002

COUNSELLORS AT LAW

28 STATE STREET

BOSTON, MASSACHUSETTS 02109-1784

TELEPHONE (617) 227-7400

FAX (617) 742-4214

lc@lahive.com

JOHN A. LAHIVE, JR. (1928-1997)

THOMAS V. SMURZYNSKI

RALPH A. LOREN

GIULIO A. DeCONTI, JR.

ANN LAMPORT HAMMITTE

ELIZABETH A. HANLEY

AMY BAKER MANDRAGOURAS

ANTHONY A. LAURENTANO

KEVIN J. CANNING

JANE E. REMILLARD

DeANN FORAN SMITH

PETER C. LAURO

JEANNE M. DIGIORGIO

DEBRA J. MILASINIC, Ph.D.

DAVID J. RIKKERS

DAVID R. BURNS

JOHN S. CURRAN

SEAN D. DETWEILER

CYNTHIA L. KANIK, Ph.D.

MEGAN E. WILLIAMS, Ph.D.

RICHA NAND

MICHAEL PHILLIPPS *

LISA M. DiROCCO

HATHAWAY P. RUSSELL **

MARIA LACCOTRIPE ZACHARAKIS, Ph.D.

PETER A. DIMATTIA

VINCENT P. LOCCISANO

MERIDETH C. ARNOLD

SENIOR COUNSEL

JAMES E. COCKFIELD

OF COUNSEL

JEREMIAH LYNCH

WILLIAM A. SCOFIELD, JR.

DAVID P. REPPERT

PATENT AGENTS

THEODORE R. WEST

SHAYNE Y. HUFF, Ph.D.

DANIEL B. KO

TECHNICAL SPECIALISTS

CYNTHIA M. SOROOS

PETER W. DINI, Ph.D.

EUIHOON LEE

JENNIFER K. ROSENFIELD

ALLAN TAMESHTIT, Ph.D.

CATHERINE E. McPHERSON

ERIC F. WAGNER, Ph.D.

SHAHID HASAN, Ph.D.

JACOB G. WEINTRAUB

JONATHAN M. SPARKS, Ph.D.

CRISTIN E. HOWLEY, Ph.D.

* Admitted in NY only

** Admitted in TX only

April 30, 2002

RECEIVED

MAY 14 2002

OFFICE OF PETITIONS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/027,484

Title: *Microfluidic System Including A Virtual Wall Fluid Interface Port For Interfacing Fluids With The Microfluidic System*

Inventor: Sebastian Böhm, et al.

Filed: December 21, 2001

Our Reference No.: CVZ-001b

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Non Provisional Application;
2. Two executed Declarations, Petitions and Powers of Attorney;
3. 15 sheets of substitute drawings (Figures 1-23B) in compliance with 37 CFR 1.84;
3. Copy of Formalities Letter;
4. Check in the amount of \$130.00 for surcharge;
5. Request for One-Month Extension of Time;
6. Check in the amount of \$110.00 for extension fee;
7. Petition Requesting Grant of Original Filing Date Pursuant to 37 C.F.R 1.53 (e)(2) (including copies of originally filed figures, application transmittal letter, stamped postcard receipt, and express mail label); and
8. Return acknowledgment postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on:

April 30, 2002

Date

Anthony A. Laurentano, Esq.

Reg. No. 38,220

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Anthony A. Laurentano, Esq.

Reg. No. 38,220

Attorney for Applicant

COPY OF PAPERS
ORIGINALLY FILED

Customer No. 000959

Case Docket No. CVZ-001b

THE COMMISSIONER FOR PATENTS
Box Patent Application
Washington, D.C. 20231

EL892198604US



"Express Mail" Mailing Label Number EL892198604US

Date of Deposit December 21, 2001

I hereby certify that this transmittal letter and the papers referred to as being enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Signature

Larry Taylor

Please Print Name of Person Signing

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Sebastian Böhm and John Gilbert

For: Microfluidic System Including a Virtual Wall Fluid Interface Port for Interacting Fluids with the Microfluidic System

RECEIVED
MAY 14 2002
OFFICE OF PETITIONS

Enclosed are:

- ☐ This is a request for filing a ☐ continuation ☐ divisional application under 37 CFR 1.53(b), of pending prior application serial no. _____ filed on _____ entitled _____.
- ☒ 50 pages of specification, 8 pages of claims, 1 pages of abstract.
- ☒ 14 sheets of drawings.(Figs. 1-23B)
- ☒ A Declaration, Petition and Power of Attorney.(unexecuted)
- ☐ An assignment of the invention to _____ A recordation form cover sheet (Form PTO 1595) is also enclosed.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other Application Data Sheet, Acknowledgement Postcard

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
FOR:	NO. FILED	NO. EXTRA
BASIC FEE	////////////////////	
TOTAL CLAIMS	69 - 20	= 49
INDEP. CLAIMS	10 - 3	= 7
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

* If the difference in Col. 2 is less than zero,
enter "0" in Col. 2.

SMALL ENTITY	
RATE	FEE
////////	\$
x 9=	\$
x 42	\$
-140	\$
TOTAL	0

OTHER THAN SMALL ENTITY	
RATE	FEE
////////	\$ 740
x 18=	\$ 882
x 84	\$ 588
-280	\$
TOTAL	\$2210.00

- ☐ Please charge my Deposit Account No. 12-0080 in the amount of \$.
A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ \$2,210.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-0080.
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.

- ☐ The Commissioner is hereby authorized to charge payment of the following during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.
A duplicate copy of this sheet is enclosed.
- ☐ Any patent application processing fees under 37 C.F.R. 1.17.
- ☐ The issue fee set in 37 C.F.R. 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).
- ☐ Any filing fees under 37 C.F.R. 1.16 for presentation of extra claims.
- ☐ A check in the amount of \$ _____ to cover the recording of assignment documents is also enclosed.
- ☒ Address all future communications (May only be completed by applicant, or attorney or agent of record) to Anthony A. Laurentano, Esq. at **Customer Number: 000959** whose address is:

Lahive & Cockfield, LLP
28 State Street
Boston, Massachusetts 02109

Date: December 21, 2001

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By Anthony A. Laurentano
Anthony A. Laurentano, Esq.
Reg. No. 38,220
28 State Street
Boston, MA 02109
(617) 227-7400
Telecopier (617) 742-4214